

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CR-51-BR
No. 5:18-CV-499-BR

MARCUS SHUAIB SMITH,

v.

UNITED STATES OF AMERICA

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ORDER

This matter is before the court on petitioner's application for issuance of a certificate of appealability. (DE # 269.) In its 24 February 2021 order dismissing petitioner's 28 U.S.C. § 2255 motion, the court found that petitioner had failed to make a substantial showing of the denial of a constitutional right under 28 U.S.C. § 2253(c)(2) and declined to issue a certificate of appealability. (DE # 266, at 20-21.) Accordingly, the court treats the instant application as a motion for reconsideration as to the issuance of a certificate of appealability. Having fully considered the motion, it is DENIED.

This 19 April 2021.



W. Earl Britt
Senior U.S. District Judge